

### **REMARKS/ARGUMENTS**

The Applicant has carefully considered this application in connection with the Examiner's Action and respectfully requests reconsideration of this application in view of the foregoing amendment and the following remarks.

In a preliminary amendment the Applicant canceled Claims 1-32. In the present response Claim 33, 37 and 38 have been amended. Support for the amendment to Claim 33 includes Page 15, Lines 7-10; Page 16, Lines 10-14; and Page 17, Lines 1-16. Accordingly, Claims 33-42 are currently pending in the application.

#### **I. Formal Matters**

In response to item 6 of the Examiner's detailed action, the first paragraph of the specification has been revised to indicate that Application Serial No. 09/558,130 filed on April 25, 2000, is now U.S. Patent No. 6,714,032. In addition, Claims 37 and 38 have been amended to correct inadvertent typographic errors pointed out in item 1 of the Examiner's detailed action.

#### **II. Rejection of Claims under 35 U.S.C. §102**

The Examiner has rejected Claims 33, 35 and 36 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. to Vu, *et al.* ("Vu"). The Applicant respectfully disagrees.

Claim 33 recites among other things, a measurer for measuring a current signature delta value of the device under test based on transient currents thereof.

Vu, however, does not teach a current signature delta value based on transient currents. Rather, Vu solely uses  $I_{DDQ}$  tests that measure a static current of a digital IC when all of the logic

gates are in a known state. (Column 3, lines 44-45). Thus, Vu does not teach each and every element of independent Claim 1.

Therefore, because Vu does not teach each and every element of independent Claim 33, Vu does not anticipate Claim 33 and dependent Claims 35 and 36. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102(e) rejection of Claims 33, 35 and 36.

### **III. Allowable Subject Matter**

The Examiner has indicated that dependent Claims 34 and 37-42 are allowable, if rewritten in independent form. While the Applicant appreciates this indication of allowable subject matter, as noted above, Claims 33, 35 and 36 are not anticipated by Vu. Accordingly, the Applicants respectfully request the Examiner to pass Claims 33-42 to issue.

### **IV. Conclusion**

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a timely Notice of Allowance for Claims 33-42.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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